

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Levoi Easterwood,

Plaintiff,

vs.

Charnea Walker, *et al.*,

Defendants.

Case No.: 2:21-cv-01686-GMN-EJY

ORDER

Pending before the Court is the Report and Recommendation, (ECF No. 5), of United States Magistrate Judge Elayna J. Youchah, which states that Plaintiff's Complaint, (ECF No. 1-1), should be dismissed without prejudice and that the entirety of the case should be dismissed if Plaintiff fails to file an amended complaint within thirty (30) days of the Report and Recommendation.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so has passed. (See Min. Order,

1 ECF No. 5) (setting a November 29, 2021, deadline for objections).

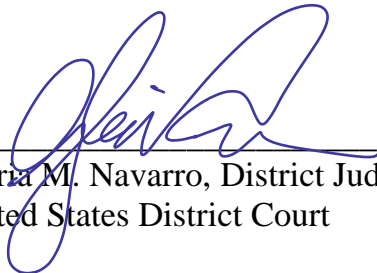
2 Accordingly,

3 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 5), is
4 **ADOPTED** in full.

5 **IT IS FURTHER ORDERED** that Plaintiff's Complaint, (ECF No. 1-1), is
6 **DISMISSED** without prejudice.

7 **IT IS FURTHER ORDERED** that Plaintiff shall file an amended complaint by
8 Wednesday, December 15, 2021. If Plaintiff does not file an amended complaint by the
9 deadline, his case will be dismissed without prejudice.

10 Dated this 8 day of December, 2021.

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14 Gloria M. Navarro, District Judge
15 United States District Court
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